

Remarks/Arguments

The Rejection of Claims 15-19 under 35 U.S.C. § 112

Claims 15-19 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim subject matter which applicant regards as the invention. Applicants respectfully traverse this rejection and request reconsideration for the following reasons.

At the onset Applicants courteously submit that amended Claim 15 does not introduce any new issues requiring further search/and or consideration as the amendment merely combines Claims 9 and 15 which have been previously examined, and thus, no new limitations are being introduced. Amended Claim 15 clearly sets forth the structural relationship that the recessed portion is a removal panel, thereby obviating the rejection under Section 112, second paragraph.

Similarly, in view of the specification, amended Claim 15 clearly indicates what surface of the recessed portion may be used to grip the microscope. For example, as defined in the specification, “surfaces, recesses and indentations for gripping a microscope are intended to refer to surfaces having sufficient surface areas configured for receiving substantial portions of a individual's hand or portions of the fingers thereon or therein.” (Instant Application, Para. [0018]). Thus, “[r]ecessed portion 36 is sufficiently deep to accept the fingers of an individual ... a hand may be wrapped about the microscope arm and the fingers placed within the recessed portion such that the gripping surface is increased and the gripping force required for securing the microscope, reduced.” (Instant Application, Para. [0021]). Additionally, “walls 40, interior surface 32 and/or inner recess surface 38 may comprise a textured surface, for example a knurled surface, textured painted surface, etc. for increasing the static coefficient of friction thereof such that the force of friction between the recessed portion and hand 46 may be increased.” (Instant Application, Para. [0022]). Furthermore, “recessed portion 36 could be configured to comprise one or more indentations shaped for complementarily receiving a portion of a human hand and/or fingertips.” (Instant Application, Para. [0023]). Moreover, Applicants courteously submit that:

“Figure 2 illustrates that recessed portion 36 is configured to be sufficiently deep such that hand 46 may be wrapped about the microscope arm. When hand 46 is wrapped about the microscope arm, the fingertips may be extended into the recessed portion to apply a gripping force upon inner recess surface 38, walls 40

and interior surface 32, etc. Hence, because the recessed portion provides an increased number of surfaces by which the microscope may be gripped, the effective gripping force required to secure the microscope is reduced when compared with microscopes comprising mere planar arm surfaces. Consequently, the present invention provides a more effective means for securing and gripping a microscope when compared to known microscopes.” (Instant Application, Para. [0025] and Figure 2).

Applicants respectfully assert that amended Claim 15, in view of the specification, clearly indicates what surface and/or surfaces of the recessed portion may be used to grip the microscope.

In view of the foregoing, and in view of the fact that Claims 15-19 have not been rejected over any cited references, Claim 15 is in condition for allowance, and Claims 16-19 are also in condition for allowance due to their dependency from Claim 15. Applicants respectfully submit that reconsideration and withdrawal of this rejection is appropriate and courteously requested.

The Rejection of Claims 9-12, 14, 20-25, 27 and 28 Under 35 U.S.C. § 103(a)

Claims 9-12, 14, 20-25, 27 and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 2,135,870 (*Fassin*) in view of United States Patent No. 5,844,714 (*DiResta*) and United States Patent No. 5,556,150 (*Ampel*). Applicants have cancelled Claims 9-12, 14, 20-25, 27 and 28 thereby rendering this rejection moot. Therefore, reconsideration and withdrawal of this rejection is appropriate and respectfully requested.

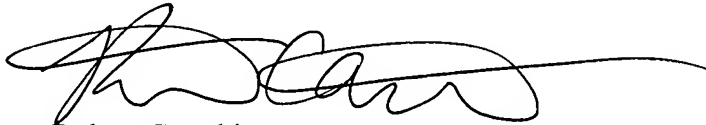
The Rejection of Claims 13 and 26 Under 35 U.S.C. § 103(a)

Claims 13 and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Fassin* in view of *DiResta* and *Ampel* as applied to Claims 9 and 20 above, and further in view of United States Patent No. 5,406,731 (*Stevens*). Applicants have cancelled Claims 13 and 26 thereby rendering this rejection moot. Therefore, reconsideration and withdrawal of this rejection is appropriate and respectfully requested.

Conclusion

Applicants respectfully submit that the present application is in condition for allowance, which action is courteously requested. The Examiner is invited and encouraged to contact the undersigned attorney of record if such contact will facilitate an efficient examination and allowance of the application.

Respectfully yours,



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